

04-233

From: Eric Hanson on behalf of ECFSHelp
Sent: Monday, February 25, 2008 12:24 PM
To: Melissa Askew
Subject: FW: Public Submission

-----Original Message-----

From: no-reply@erulemaking.net [mailto:no-reply@erulemaking.net]
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To: ECFSHelp
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Public Comments on Report on Broadcast Localism and Notice of Proposed Rulemaking:=====

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Comment Info: =====

General Comment:Community Advisory Boards: Since acquiring our smaller market single-owned AM station three years ago we have worked hard to gather input from people in our community as to the type of programming they want. At least twice per year we open up an hour of our local morning show for listeners to call in and tell us what we're doing right, what we're doing wrong, and what they would like to see.

We periodically air PSA's inviting the public to call or e-mail us with their questions or comments on our programming. About once per year we post a station survey online and invite the public to complete it.

As a small station we have one fulltime, and one part-time employee in addition to an outside sales person and myself. As owner I have worked fulltime for the past three years without drawing one dime of salary, dividends, or compensation of any kind as I try to build this station. I cannot afford to hire any additional staff or personally take on additional responsibilities such as assembling and meeting with a Community Advisory Board, and maintaining the required records of such activities.

While Community Advisory Boards may be a feasible way for television or large market radio operators to gather public feedback, it would be overly burdensome on small market owners such as myself. If the commission feels the CAB's are necessary, I would strongly urge that smaller stations be exempt from the requirements. Small market stations are under tremendous economic pressure as locally owned businesses, which are the lifeblood of advertising revenue, are rapidly disappearing as large big box retailers move in? and these big companies do not buy local small market radio.

Remote Station Operation: If the commission adopts rules requiring that personnel be present at the station during all hours of operation I fully believe it will actually

result in many stations providing less information of a local or emergency nature as small market stations such as ours would no longer be able to afford to stay on the air outside of normal daytime hours.

Through the use of automation we are able to provide during unattended hours? a national newscast updated hourly 24/7, a state newscast updated hourly, a local weather forecast including the local temperature updated hourly 24/7, state and national sports scores updated hourly 24/7, along with local weather alerts, Amber alerts, and local/state/national emergency announcements utilizing our EAS system. These would all be lost from 6 PM to 6 AM if a physical presence were required, as we would have to cease transmitting during those hours.

Since acquiring our station three years ago we have only had one instance where a local event occurred that required coverage outside of normal daytime hours? and we met that need through technology.

Earlier this year an unexpected winter weather event occurred late one Saturday afternoon. Once it appeared that travel conditions would be affected I took action. Knowing roads could be treacherous I opted to handle the event from home. Within five minutes I had forwarded the station phones to my home, accessed the station e-mail account, and had taken control of the station studio remotely over the Internet.

Throughout the afternoon and evening for several hours until the event had passed and temperatures had risen above freezing, I broke into regular station programming approximately every twenty minutes with updated weather and travel conditions along with area closings, cancellations and postponements. The needs of my community were met. As a station owner I constantly monitor weather conditions, and local law enforcement and government agencies know how to contact me, my business partner, and station staff after hours if something arises that we need to provide coverage for. We are on call around the clock to handle these types of events.

If station presence requirements were mandated, I would have to cover an additional 100 hours per week of labor costs. Counting benefits and employer paid items such as FICA, workman's compensation, unemployment insurance, and etc. my payroll costs would increase almost \$5,000 per month. Our total advertising revenues are only \$10,000 per month and we barely break even. As owner, though I put in many hours at the station, I have never taken one dime in salary, dividends or compensation.

Implementation of a Station Presence Requirement completely ignores the economic realities small stations face today and also ignores how technology is actually allowing us to better serve our communities. I strongly urge the commission to abandon consideration of this requirement.

Political Reporting: As noted in your report many AM stations such as ours broadcast many hours of political news and information each week? well exceeding expectations. However, as I have previously stated, small market single station owners are stretched to the limit and cannot handle any more reporting requirements. Current commission rules and procedures for maintaining a Political File are more than adequate for radio and no changes should be implemented.

Renewal Application Processing Guidelines: I am strongly opposed to any additional reporting requirements or implementation of set percentage or hours of certain local, political, or other mandated programming.

While activists and special interest groups have been very involved in this Localism process, they do not represent the overwhelming majority of radio listeners. Over the years I have seen numerous times where a station would air certain community oriented programming that some segment of the local listening audience had requested, only to see horrendous ratings for that programming.

A perfect example of this disconnect between what people say they want and what they actually listen to was K-98 FM in Rome, Georgia. This station was the ratings leader in northwest Georgia for many years. In 2006 it was sold to Georgia Public Broadcasting (an NPR affiliate) and local leaders and activists gushed over how great this new community oriented and public affairs programming would be for Rome. Since the changeover, ratings for the station have plummeted.

From its inception until the 1960's most AM stations tried to be all things to all people? mixing multiple music formats, local events, news, weather, sports, etc. As soon as FM and its genre specific formats began to appear AM radio started dying and did not recover until AM stations began changing over to all News/Talk or all sports formats.

If I want to listen to jazz music, I tune in a jazz station and if that station interrupts the music to broadcast an hour of news or public affairs programming I would either turn the dial or play a CD. If I'm in the mood for news I'll find a news station. If I want public affairs I'll find a public broadcasting station.

By trying to force station owners to air programming contrary to the format of the station, you drive away regular listeners? increase costs for the owners? and reduce advertising revenue. These stations do not receive government funding and must compete against satellite radio, Internet sites, Internet radio, iPods, and other sources of entertainment and information.

If there's a need for a country music station in a particular area, then by George let the free market work and allow the station owner to make it the best country music station they can without saddling them with requirements to broadcast ?out of format? programming. If a community need is not being met, someone will figure out a way to meet it? whether that is through radio or some other means.

Station owners have a huge investment in equipment and property and it is unfair to handcuff them with more government mandates and regulations. It's time to reduce FCC oversight of radio? not increase regulatory burden.

Additionally, expanding reporting requirements at license renewal only increases the opportunities for politically motivated groups or individuals to challenge the license renewals of stations that air programming that is ideologically different from what the challengers desire. Many stations have spent small fortunes fighting these abuses of the system.

Like the majority of broadcasters, I work tirelessly every day to better serve my community. Thank you for your consideration of my comments and concerns.